

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE#16 CA
6-1203

Application of:

Alan Ruth et al.

Application No.: 09/842,790

Group Art Unit: 1745

Filing Date: April 25, 2001

Examiner: J. Maples

Title: LITHIUM ION BATTERY
SUITABLE FOR HYBRID
ELECTRIC VEHICLESMail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Comments on Statement of Reasons for Allowance

Applicant is in receipt of the Notice of Allowance and Fee(s) Due, dated February 5, 2003, as well as the Notice of Allowability including an Examiner's Statement of Reasons for Allowance.

Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance to the extent that not all the claims include all of the particular limitations mentioned by the Examiner. For example, not all of the claims recite a conductive ring, a first plurality of tabs electrically connected to a metal member, and a second plurality of tabs pinched between the second end of the battery case and a metal end cap.

Also, to the extent that there is any implication that the patentability of the claims rests on the recitation of a single feature, Applicant respectfully disagrees with the Examiner's Statement because it is the combination of features that makes the claims patentable. For instance, Claim 5 recites:

5. A battery comprising:

a tubular case comprising an electrically conductive wall enclosing an interior volume, said case defining open first and second ends;

an electrode assembly comprising helically wound first and second electrode strips spaced by at least one separator strip, said first assembly including a first set of spaced tabs extending in a first direction from said first electrode strip and a second set of spaced tabs extending in a second direction from said second electrode strip;

means mounting said electrode assembly in said interior volume with said first set of tabs proximate to said case open first end and said second set of tabs proximate to said case open second end;

a dielectric member mounted in said interior volume close to said case first end;

an electrically conductive ring mounted on said dielectric member close to said case first end and electrically insulated from said case wall;

means electrically connecting said first set of tabs to said electrically conductive ring;

an electrically conductive first end cap; and wherein

said first end cap is secured to said case wall first end proximate to said conductive ring to minimize empty interior volume therebetween.

Claim 8 recites:

8. A battery comprising:

a tubular metal case having open first and second ends and defining an interior volume;

a dielectric member mounted in said case adjacent to said first open end;

a metal member supported by said dielectric member;

an electrode assembly comprising a first polarity electrode strip and a second polarity electrode strip helically wound together with a separator strip between adjacent layers;

a first plurality of first polarity metal tabs connected to spaced points along said first polarity electrode strip;

a second plurality of second polarity metal tabs connected to spaced points along said second polarity electrode strip;

said first and second pluralities of metal tabs extending in opposite directions from said electrode assembly; and wherein

said electrode assembly is mounted in said interior volume with said first plurality of tabs electrically connected to said metal member and with said second plurality of tabs pinched between the case second end and a metal end cap secured to said case second end.

Accordingly, Applicant submits that these claims and the other claims of the application are allowable because the prior art does not teach or suggest the combination of features as recited.

Respectfully submitted,



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